

James Anderson of AFSCME indicated that the parties had agreed on all positions in the bargaining unit except that of Sergeant of the Police Department.

Hearing on this matter was held at the PELRB offices on May 7, 1992.

Counsel for the Town John Teague, Esq., stated that all issues of concern raised by the Selectmen had been resolved with the exception of the Sergeants position, and stated he was aware of certain decisions of this Board where Sergeants had been included in the bargaining unit in some of the smaller towns, however, the Sergeant in the New London department did have substantial supervisory authority over the patrolmen and did stand in and act for the Chief of the Department during the chiefs absence because of illness, and is the ranking officer in the Department next to the Chief. Further that upon return to duty by the Chief the Sergeant would return to his regular duties and had in fact returned to his regular duties at the time of hearing.

Sergeant David Seastrand testified as to his duties as a Sergeant, involving daily patrol duty; responding to calls as do other patrolmen, does the prosecution of departments cases in court, did act for the Chief temporarily during the Chief's absence, but has now returned to his regular duty as Sergeant and does patrol work as his added duties, further testified his general schedule was 7:00 to 3:00 and could be doing paper work in the offices or doing cruise patrol and expressed a community of interest with the other officers in the department.

Chief of Police Stewart Sidmore in testimony confirmed the duties and work schedule as presented by the Sergeant.

FINDINGS OF FACT

1. The supervisory nature of the sergeant's duties can be characterized as temporary only in this one instance of temporarily acting as chief during the chief's temporary absence.
2. The supervisory duties of the sergeants positions in this case do not rise to the level of requiring as a part of the routine duties of this position, they exercise a significant discretion as set forth in 273-A:8 (II).

ORDER

A bargaining unit is hereby created consisting of Patrolmen, Dispatchers, Sergeants, Equipment Operators, Heavy Equipment Operators and Recycle/Transfer Station Operators.

Excluded from the unit is Chief of Police, Road Agent and Chief Dispatcher/Administrative Coordinator.

An election should be held by PELRB in accordance with RSA 273-A:10 and PELRB Rules and Regulations as expeditiously as possible.

So ordered.

Signed this 8th day of June, 1992.
Amended decision June 11, 1992



EDWARD J. HASELTINE
Chairman

By unanimous vote. Chairman Edward J. Haseltine presiding.
Members Seymour Osman and E. Vincent Hall present and voting.